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**Fax Transmission** | March 15, 2005TO: Commissioner for Patents  
Patent Examining Corps  
Facsimile Center  
Alexandria, VA 22313-1450

FROM: Robert A. Kalinsky

OUR REF: 12929.1072USC1  
TELEPHONE: 612.336.4771USPTO Centralized Facsimile No.: 1-703-872-9306Total pages, including cover letter: 8.

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Title of Document Transmitted: 1. **Amendment under 37 C.F.R. § 1.116**Applicant: **Bachinski et al.**  
Serial No.: **10/687,497**  
Filed: **October 15, 2003**  
Group Art Unit: **3749**Our Ref. No.: **12929.1072USC1**  
Confirmation No.: **9051**  
Customer No.: **23552**

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Robert A. Kalinsky  
Name: Robert A. Kalinsky  
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**RESPONSE UNDER 37 C.F.R. 1.116**  
**EXPEDITED PROCEDURE**  
**EXAMINING GROUP 3749**

S/N 10/687,497

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|               |  |                   |                 |
|---------------|--|-------------------|-----------------|
| Applicant:    | Bachinski et al.                         | Examiner:         | Alfred Basichas |
| Serial No.:   | 10/687,497                               | Group Art Unit:   | 3749            |
| Filed:        | October 15, 2003                         | Docket No.:       | 12929.1072USC1  |
| Customer No.: | 23552                                    | Confirmation No.: | 9051            |
| Title:        | Proximity Warning System for a Fireplace |                   |                 |

**CERTIFICATE UNDER 37 CFR 1.6(d)**

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Name: Robert A. Kalinsky

**AMENDMENT UNDER 37 C.F.R. § 1.116**

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Dear Sir:

In response to the final Office Action mailed on December 15, 2004, please consider and enter the following amendments and remarks. Claims 24-28, 31-37, and 39 remain pending in the application.

Amendments to the claims begin at page 2 of this paper.

Remarks begin at page 5 of this paper.